

A New Deal for California

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California is Changing...

- The Walnut Creek tragedy has prompted a **Senate Bill** and a **Cal/OSHA Advisory Committee**
- State Senator Torlakson has introduced SB 1359
- The Advisory Committee has talked to many of you and they now have draft language almost ready for public comment.

The New Laws Will Change Some Things about Excavation in California

- But by no means will our industry really change until everyone agrees it's time to change...
- It will take courage to call Dig-Alert every single time...
- It will take money to answer every call from Dig-Alert...
- We need to start having **pre-job meetings**...
- And Cal/OSHA will have to become **more aggressive** in investigating pipeline ruptures...
- And **none of these** has happened yet...

Some Examples:

- 1. A contractor in South San Francisco got the line marked— but 50-feet away from where he was to begin excavation ...M&T got involved...
- 2. A Sunol gas transmission pipeline was ruptured— DOSH sent a General Compliance inspector— no citations issued.
- 3. A gas pipe was ruptured under the new Douglas Boulevard interchange because the excavator didn't call--DOSH sent a General Compliance inspector--no citations issued.

More...

- 4. One of our pipejacking employers recently hit a pair of 12 KV conduits in Southern California without rupturing them...the operator actually saw them from inside the boring machine... **the lines had been marked and potholed erroneously.**
- 5. A Chlorine pipeline was ruptured during excavation at Lake Skinner (near Winchester)...no one injured because the Chlorine was being transmitted by vacuum... **never located or potholed.**
- 6. In the Bay Area recently, **a pipejacking contractor ruptured both a gas and an electric line on the same alignment** ...no injuries, but very lucky.

And Finally...

- 7. In Los Angeles, a public utility ruptured it's own Methane pipeline. The ensuing explosion only damaged automobiles...
- 8. And who can forget the Southern California Rubidoux water main break in September of 2005?

These 8 Examples are only 10% of the Ruptures since Walnut Creek

- It's only been **16 months** ...
- What lessons did we really learn?
- What procedures have we really changed?
- What are we really willing to do to solve the problem?

From My Standpoint...

- Not very much...
- I think it's just a matter of time and circumstances before we have to dispose of more charred human remains...
- I promised the excavators that I would work on this project for the rest of my career to help fix this problem...
- I had hoped that new technology would help us...
- But I am seriously concerned that I will never see the day when California seriously drops the number of instances where we rupture pipes and conduits.

Why?

- Because I don't believe that OSHA, the excavators or the operators are ready yet...
- I don't see anyone standing up and saying, "***The Buck stops here ...I'm not going to let it happen anymore...***"
- And I understand...that kind of commitment will cost money...money for equipment, for training, for time in the field, for updating the as-builts, etc.
- There's probably no one here today that has the authority to back up a statement like that. **Nor do I...**
- We're all part of a system that's messed up...

It's Frustrating...

- I'm the one who has to talk to the widow, and explain to her why her husband died...
- I almost choke every time because **I know the real answer...**
- **And I can't tell her the real truth...**
- I wish someone else would talk to her...

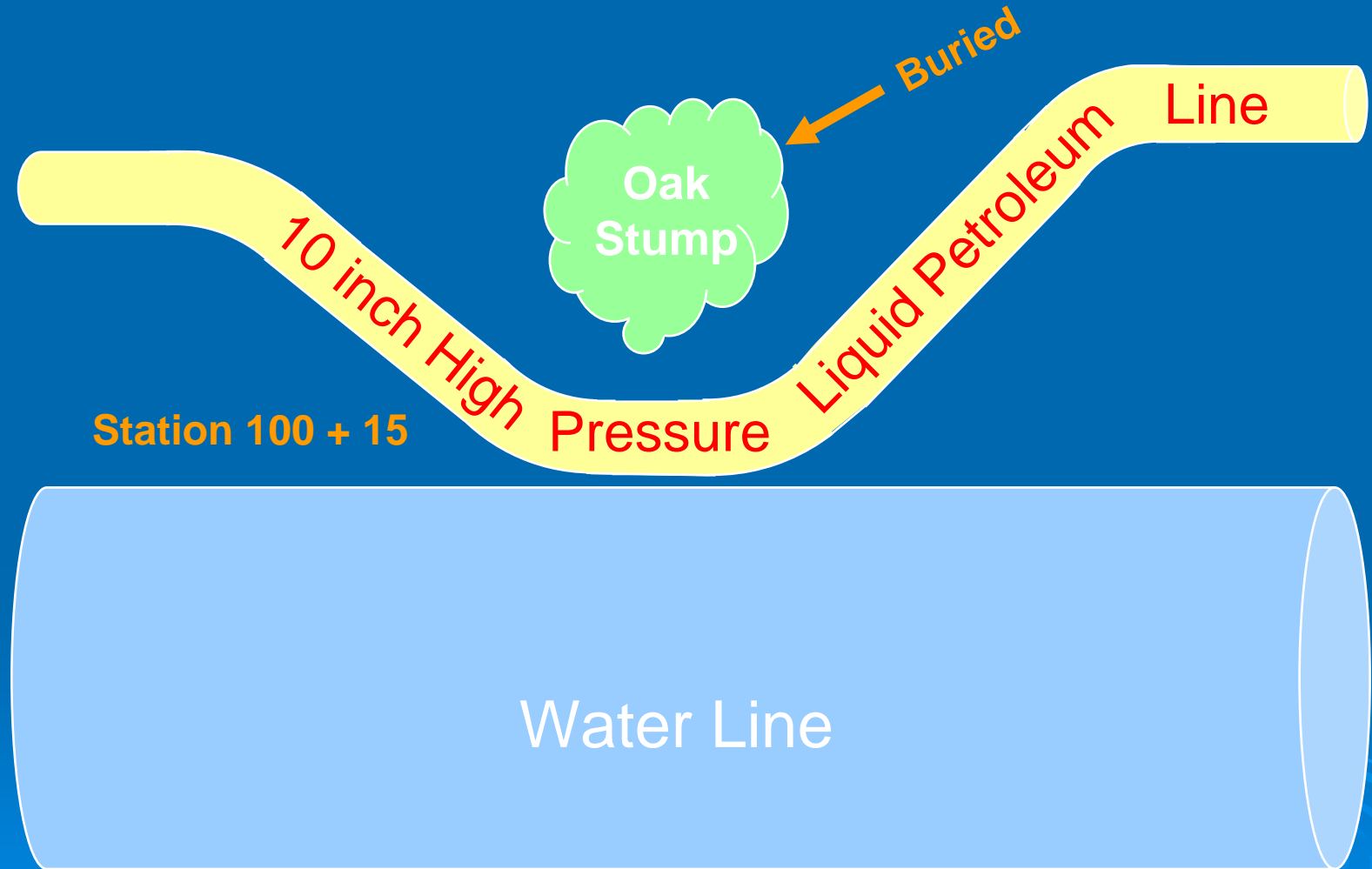
I Still Have Faith, However:

- That someday, we're all going to sit down and make a commitment to improve excavation safety.
- And it won't be the result of **new laws**...
- ...or **higher penalties**...
- ...or threats of **jail terms**.
- When our bellies are full enough of the injuries, the deaths, the damage, the interruptions, and the excuses,
- **We'll just sit down and shake hands on it...and make it happen**
- It will be a **New Deal** for California!

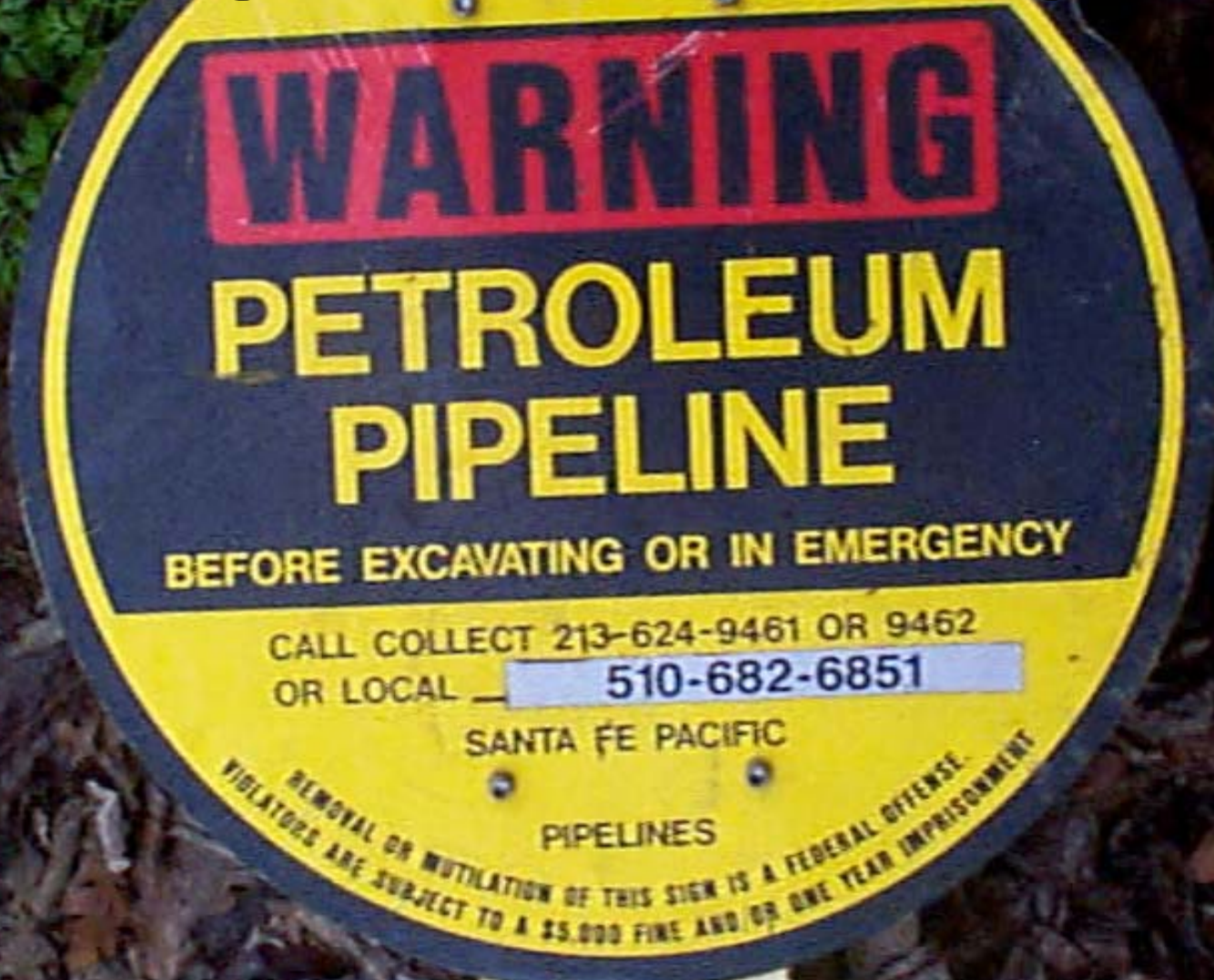




And Not This Either:



Can't We All Just Sit Down and Agree on This Thing?



The End

➤ Thanks for Your Attention

**If There is Anything You Can
Do, Call Me:**

530-895-6938